## State of California, State Water Resources Control Board Division of Water Rights

P.O. Box 2000, Sacramento, ČA 95812-2000 Info: (916) 341-5300, FAX: (916) 341-5400 Web: http://waterrights.ca.gov S009191%S%2005

2003, 2004, 2005

### SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information. Notify this office if ownership or address changes occur during the coming year.

ease Complete and Return This Form by JULY 1, 2005.

\*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: METROPOLITAN LIFE INSURANCE CO;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
METROPOLITAN LIFE INSURANCE CO
JERRY D MICHEL
7100 N FINANCIAL DR STE 105
FRESNO, CA 93720

001				5009191	
CON	IACI	PHONE	NO.:	(209)435-0206	

Source	Name:	SACRA	MENTO R	VER										
ributar	ry-To:	SUISUN	BAY										-	-
County:		Butte							Year	r of First U	<b>Jse: 1</b> 91	14		
Diversio	on Within:	SE1/4 o	f SW1/4 S	ection 07,	T22N, R01	W, MB&N	1		Parc	cel Numbe	r:			
A.	Water is	Used Und	<u>der</u> : Ripar	ian claim		_ Pre-191	l4 right		_ Other (exp	lain):				
В.	Year of i	irst Use:	(Please pi	ovide if m	nissing abov	ve)			_					
C.	Amount	of Use: E	nter the a	mount (or	the approx	imate am	ount) of wa	iter used e	each month, u	sing the ta	able below	<i>I</i> .		
							lons (MG)					Other		
	Year	below are	Feb	Mar	Apr	May	June	July	Aug	feet (AF) _ Sept	Oct	Nov	Dec	Total
										<u> </u>			ļ	Annual
	2003													
	2004		<del></del>								,			
	2005	<u> </u>		<del> </del>		ļ	-	-			-			-
								<u> </u>						
F.		servation	of water		elow which		•		NO					
	a.	Describe	any water	conserva	ation efforts	you have	initiated:_		<u> </u>					
	b.		claiming amount o			ervation u	nder sectio	n 1011 of	the Water Co	ode for you	ır claimed	pre-1914 a	ppropriati	ve right, pl
		Reductio	n in Divers	sions:										
		Year		<del></del>	(AF/MG	) Year _			(AF/MG) \	rear	<del></del>	(	AF/MG)	
		Reductio	n in consu	mptive us	se:									
		Year			(AF/MG	) Year _			(AF/MG) \	Year		(	AF/MG)	( Q

а.		low or have you been which unreasonably					ation facility or water polluted by was
b.		tive right under section					rater in lieu of a claimed pre-1914 ons and amounts of substitute wate
	Amount o	of reduced diversion:	(AF/MG) Year	· .	(AF/MG)	Year	(AF/MG)
	State the	type of substitute wat	er supply:				
	Amount o	sf euhetitute water eur	wy usey.		_	Year	(AF/MG)
	I have da	ta to support the abov	ve surface water	use reductions du	to the use of a	substitute water	supply. YES NO
s. Co	njunctive us	se of surface water an	d groundwater		1	,	
a.	Are you r	now using groundwate	er in lieu of surfac	ce water? YES	NO	<u>L</u> .	
b.		claiming credit due to ease show the amoun			r a claimed pre	1914 appropriativ	re right under section 1011.5 of the \
	Year		(AF/MG) Year		(AF/MG)	Year	(AF/MG)
	I have da	ta to support the abov	ve surface water	use reductions du	e to the use of g	roundwater. YES	S NO
DATE:		formation in this report	at		1		, California
'KIN I E	ED NAME:	(first name	<del>)</del>	(middle initial)	Ī	(last na	ame)
OMP/	ANY NAME:	·					
		If there	is insufficient sp	ace for your answe	ers, please use i	the space provide	d below.
TEM		CONTINUATION			į		
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	_						
	<u> </u>						<u>.</u>
	_ _ _	GENE There are two prince	ERAL INFORMA	TION PERTAININ	G TO WATER	RIGHTS IN CALIF	ORNIA I appropriative rights.

Water quality and wastewater reclamation

A riparia watersh the sev of a stre flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

nents of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific ptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

## RECEIVED

## State of California State Water Resources Control Board DIVISION OF WATER RIGHTS

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 657-2170, FAX: (916) 657-1485, Web: http://www.waterrights.ca.gov

## MAR 1 0 2000 Western branch office

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D.

E.

F.

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

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#### PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 2000

OFFICE	OF REC	10DD - 1		OL TERM		TNOWN	,	o FURM	BI UU.	LI I,	2000	part 1 1 part fel partin	1
OWNER	OF KEC	ORD: I	METROP	OLITAN	TILE	INSURA	MCE CO	,			, a	I. IŞ	,
DANIEI 7100 N	POLITAN A O'N I FINAN D, CA 9	EILL . ICIAL 1	Jerry	D. M.	ichel					STATE	MENT 1	ró: sod	9191
TRIBUT COUNTY DIVERS WITE	KIN: SE	SUIS E E% OF S	SUN BA	CTION '						(209) YEAR PARCE	435-0 OF FII L NO:	RST USI	1 : : 1914
Water is us	ed under:	Riparian	claim		Pre	1914 righ	tX	•	Other (e	explain); _	<del> </del>	- <del> </del>	
Year of first	<u>tuse</u> (Plea	se provid	e if missin	g above) _		<u>.</u>							
Amount of which wate			unt of wat	er used ea	ch month.	If month!	y and ann	ual use ar	e not know	n, check t	he month:	s in	
			below are	Gal	llons		Acre-feet		Other				
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1997	χ.	Х	Х	х	Х	х	х	х	х	Х	X		ì
1998	X	Х	X	X	Х	X	X	Х	·x	Х	X		
1999	X	Х	X	X	X_	X	x	X	X	х	х		
Purpose of Irrigation  * ISE Other (spec	2154* E ATTA		acres; S	tockwateri	ng	-				•	_;		
Changes in enlarged div	Method of version dar	<u>Diversior</u> n, location	– Describ n of diversi	e any char on, etc.)	nges in yo	ur project	since you	previous	statement	was filed.	(New pu	mp, .	
Please ansv	wer only th	ose quest	ions below	which are	applicabl	e to your p	oroject.						
1. Cónse	rvation of v	vater											

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:				
19 (af/mg)	) 19	_ (af/mg) 19	(af/mg)	)
Reductions in consumptive use:				

\_\_ (af/mg) 19\_

I have data to support the above surface water use reductions due to conservation efforts YES \_\_\_\_ NO \_\_\_

\_ (af/mg) 19\_

Describe any water conservation efforts you have initiated:

KN

. Wa	iter quality and wast	ewater reclamation			,
a.	Are you now or ha a degree which u	ave you been using reclaimed wate nreasonably affects such water for	er from a wastewater treatmen other beneficial uses? YES _	t facility, desalination faci	lity or water polluted by waste to
b.	polluted water in I	e under a claimed pre 1914 appro ieu of appropriated water is claime eclaimed water used:	priative water right through su d under section 1010 of the W	bstitution of reclaimed wa /ater Code, please show	ter, desalinated water or amounts of reduced diversions
	19	(af/mg) 19 oport the above surface water use r	· (af/m	ng) 19	(af/mg)
	I have data to sup	port the above surface water use r	eductions due to wastewater	reclamation. YES N	0
. Co	njunctive use of sur	face water and groundwater			•
a.	Are you now usin	g groundwater in lieu of surface wa	iter? YES NO		
b.	If credit toward us claimed under se	se under a claimed pre 1914 appro ction 1011.5 of the Water Code, plo	priative right through substitut ease show the amounts of gro	ion of groundwater in lieu oundwater used	of appropriated water is
	19	(af/mg) 19	(af/m	ng) 19 🤨	(af/mg)
	I have data to sup	(af/mg) 19 oport the above surface water use	reductions due to conjunctive	use efforts. YES NO	
				4 4	
		pe necessary to document the water	er savings claimed in "F." abov	e ificredit under Water C	ode sections 1010 and 1011 is
sougi	nt in the future.			1	
I deci	are that the informa	tion in this report is true to the best	of my knowledge and belief.		
DATE	:May_10	, 2000 at	Fresno	7	, California
	ATURE:	DI Attyat		4 4	
			А.	_ <b>!</b>	Hyatt
PRIN	TED NAME:	(first name)	(middle init.)		(last name)
CO14	DANY NAME: N			<u> </u>	
COM	PANT NAME	<u> Metropolitan Life Ins</u>		1	
		If there is insufficient space	for your answers, please use	the space provided below	<i>I</i> .
ITEM	CONTINUATIO	NO			
	Attachm	ents - Exhibit A - E	xplanation		
				1	
		Exhibit B - M	lap	1 1	
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	-			7	
				7 1	
				4	
		GENERAL INFORMATION	N PERTAINING TO WATER I	RIGHTS IN CALIFORNIA	
There	e are two principal to	pes of surface water rights in Calif	ornia. They are riparian and a	appropriative rights.	
					and Dinarian land must be in
A ripa	<u>arian right</u> enables a	n owner of land bordering a natura he water source and must never ha	ii lake or stream to take and u	se water on his riparian is urces of supplyaby an inte	anu. Kipanan iano musi be in ervening parcel without
	ame watersneu ds t	ne water source and must hever he	.,,		

A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

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-2-

## STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS P.O. BOX 2000, SACRAMENTO, CA 95812-2000 (916) 657-2170

### SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

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Notify this office if ownership or address changes occur during the coming year.

#### PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1997

OWNER OF RECORD: METROPOLITAN LIFE INSURANCE CO

METROPOLITAN LIFE INSURANCE CO 7100 N FINANCIAL DRIVE, SUITE 105 FRESNO, CA 93720

SOURCE: SACRAMENTO RIVER TRIBUTARY TO: SUISUN BAY

COUNTY: BUTTE

DIVERSION:

WITHIN: SE% OF SW% SECTION 7, T22N, R1W, MB&M.

STATEMENT NO: S009191



TELEPHONE NUMBER:

(209) 435-0206

YEAR OF FIRST USE: 1914

PARCEL NO:

Α.	Water is u	used und	<u>ler:</u> ⇔Ripa	irian clai	m	;-Pr	e 1914 1	ight	<u>X</u> ,	Other (ex	pla <del>i</del> n).:		·		
В.	Year of fi	rst use (	Please pi	rovide if	missing	above) _			·						
C.	Amount o			amount	of wate	r used ea	ach mont	th. If mo	onthly and	d annual (	use are r	not know	n, check	the month	ns in
		Amount	s below	are: □	Gallons		Acre-fee	et	□ (other	)					
	Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	· Nov.	Đec.	Total Annual	_
	1994	Х	Х	Х	Х	Х	Х	Х	Х	· X	Х	X			
	1995	Х	Х	Х	Х	Х	Х	Х	Х	X	Х	Х			
	1996	Х	Х	Х	Х	Х	Х	Х	Х	Х	X	Х			] .
Ε.	Irrigation Other (sp SEE AT Changes i enlarged if part of polluted v	ecify) TACHE in Metho diversion the water	D EXH	IBITS ersion - I cation o n Part C e below.	A & E Describe f diversion	any cha on, etc.)	nges in y	our prop	ect since	your prev	vious sta	itement v	was filed.	(New pu	1 1 1
	SIGNATUI	RE:	0	$\langle A$	Hya	et_		<u>-</u>		•					, California
	rnin <sub>i</sub> i ED 1	MAIVIE:			(FIRST NA	T(T			(MIDDLE INI	IT.)	-	(LA	YALL ST NAME)		
	COMPAN	Y NAME	: <u>Metr</u>	copoli	<u>tan L</u>	ife I	nsura	nce Co	ompany	/Agric	ultur	al In	vestme	ents -	
			See had	ck of ne	ne for Ge	neral Inf	formation	If the	e is insuf	fficient sr	ace for	vour ans	wers.		

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

EM	CONTINUATION			
	Attachments:	Exhibit A - Explanation		
		Exhibit B - Map	1	
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#### GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same water shed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

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<sup>&</sup>quot;Statements of Water Diversion and Use"

<sup>&</sup>quot;Information Pertaining to Water Rights in California"

<sup>&</sup>quot;Water Rights for Stockponds Constructed Prior to 1969"

<sup>&</sup>quot;Appropriation of Water in California"

#### EXHIBIT A

#### EXPLANATION

### History

The lands made subject to this statement are riparian to both the Sacramento River and Pine Creek. Water is diverted annually from both sources at the points indicated on the attached map. Diversions of water from the Sacramento River and Pine Creek are used for agricultural purposes, principally for irrigation of the crops listed below. Diversion of water onto the property from both sources first took place prior to 1914 by the Gianella family and has continued since that time.

## Capacity of Sacramento River Pumps

1		Location	<u>Ca</u>	pacity	
Pump Pump		Sacramento Rive	r <u>6,</u>	000 GPI 000 GPI 000 GPI	<u>M</u>

## Capacity of Pine Creek Divisions

Water is diverted from Pine Creek annually through portable pumping facilities at the location shown on the attached map. Capacity of the diversion of 2,000 GPM. Water diverted from Pine Creek is applied to adjacent fields in addition to the Sacramento River supply.

Crops grown during the 1994 season.

Located upon the approximate 2,154 gross acreage is the following planted acreage:

1,284 acres Almonds
622 acres Walnuts
5 acres Miscellaneous Crops
1,911 Total Planted Acres

FARM PLAT

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					į		, ,		12	- Fie	eld Hu	mber		lump 2	-	Pu	 P		P	ump 4							
Rese	rvoir				1				2							5			6					Thur.		rd-Gian (Grave)	1)
	Sacrament River —	;				J			f		3			(8)								9)					
	1-	dquarte		T		10		to		18											17	4 4 4 4	: #: : :	Pine /	Creek		227
			Print Leve						1	ı	2			:					15			16			1	19	
			RIVE	rump						20			Y_	2	Lift Pu	`5 umn 10:	0	2157	Pum	P	imp	(16)		1		11/	
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## \*\* PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS \*\*\*

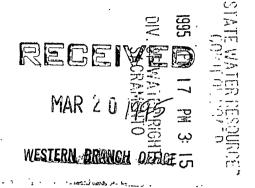
## STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S009191 OWNER OF RECORD: METROPOLITAN LIFE INSURANCE CO

METROPOLITAN LIFE INSURANCE CO 7100 N FINANCIAL DRIVE, SUITE 105 FRESNO, CA 93710 93720



SOURCE: SACRAMENTO RIVER TRIBUTARY TO: SUISUN BAY

COUNTY: BUTTE DIVERSION

WITHIN: SE% OF SW% SECTION 7, T22N, R1W, MDB&M.

**TELEPHONE NUMBER:** (209) 435-0206

1995

YEAR OF FIRST USE: 1914 PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

		COM	IPLETE	AND R	ETURN	THIS FO	ORM BY	JULY 1	,	·					
Α. <u>Ψ</u>	Water is used under: Riparian claim; Pre 1914 rightX ; Other (explain)														
В. <u>Ү</u> е	ar of first	use (Pl	ease pro	vide if n	nissing a	ibove) _			<del></del> :						
C. <u>A</u> i	nount of L leck the m	ount of Use - Enter the amount of water used each month. If monthly and annual use are not known, the months in which water was used.													
Αm	mounts below are:   Gallons   Acre-feet   (other)														
	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	ост.	NOV.	DEC	TOTAL ANNUAL		
199	X	Х	Х	Х	Х	Х	Х	Х	Х	Х	Х				
199	X	Х	Х	Х	Х	Х	X	Х	X	Х	Х				
199	X	Х	Х	Х	Х	х	Х	Х	Х	Х	~ X	,			

\* See accached Exhibits A & B.

Other (specify) \_

## \*\*\* CONTINUE ON BACK PAGE \*\*\*

D. Rurpose of Use - Specify number of acres irrigated, stock watered, persons served, etc. Irrigation 2154 Acres \* acres; Stockwatering \_\_\_\_\_; Domestic \_\_\_\_

## " PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below. I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief. Fresno DATED: April 11 . California SIGNATURE: 0'<u>Neill</u> PRINTED NAME: \_ Daniel FIRST NAME) COMPANY NAME: Metropolitan Life Insurance Company Agricultural Investments **ATTACHMENTS:** Exhibit A - Explanation Exhibit B - Map GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA There are two principal types of surface water rights in California. They are riparian and appropriative rights. A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater. An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State. Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators. The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: "Statements of Water Diversion and Use" "Information Pertaining to Water Rights in California"

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Capacity of Sacramento River Pumps

			Location		Capaci	ity
Pump No	o. o.	1 2	Sacramento Sacramento	River	6,000 6,000 12,000	GPM

Capacity of Pine Creek Divisions

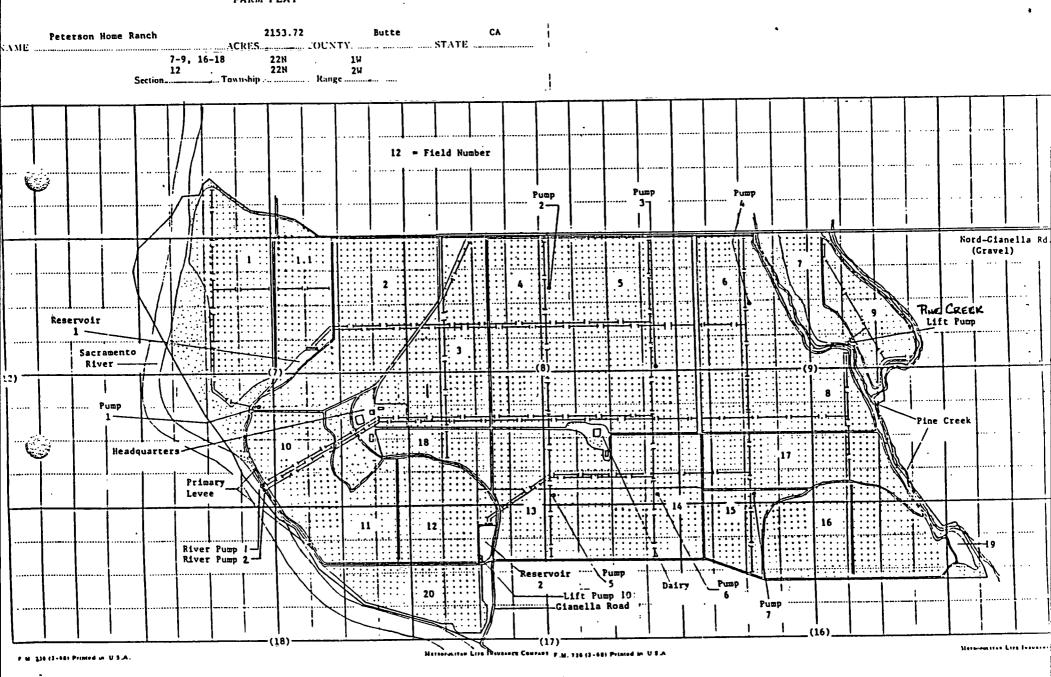
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FARM PLAT



# STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS P.O. Box 2000 Sacramento, CA 95812-2000

## STATEMENT OF WATER DIVERSION AND USE INFORMATION SHEET

STATEMENT NOSC	009191	<u> </u>		
DIVERSION SITE: OWNER'S NAME	Metropolitan	Life Insurance	Company	
PARCEL NO.	$SE_{4}^{1}$ of $SW_{4}^{1}$ Sect	(MIDDLE)		(LAST)
PLACE OF USE: OWNER'S NAME	<u>Metropolitan</u>	Life Insruance	Company	
	(FIRST)	(WIDDLE)		(LAST)
1. PARCEL N	o			oit B attached to
2. PARCEL N	o			ital Statement of version and Use.
3. PARCEL N	o.		Water Dr.	crozon and abov
PERSON OR FIRM TO		CORRESPONDEN	CE AND SUI	PLEMENTAL
	WECETAR ITE			
STATEMENTS: OWNER/LESSEE	/AGENT/OTHER	METROPOLITAN 1	LIFE INSURAN	CE COMPANY
NAME Daniel		Α		O'Neill
(FIR		(MIDDLE)		(LAST)
MAILING ADDR	ESS 7100 N. F	<u>inancial Drive,</u>	Suite 105	
	Fresno		CA	93720
	(CITY)		(STATE)	(ZIP)
TELEPHONE NO	. ( 209 ) _	435 - 02	206	
OTHERS USING ABOVE		LOCATION:		
1. NAME	None	(WIDDIR)		(LAST)
	(FIRST)	(MIDDLE)		(IMDI)
MAILING A	DDRESS			
	(CITY)		(STATE)	(ZIP)
TELEPHONE	NO. (	)		
2. NAME	(PIRST)	(MIDDLE)		LAST)
MAILING A	•	(110018)		
_	(CITY)		(STATE)	(ZIP)
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□ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL INFORMATION BOX.

## STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810 901 P ST. SACRAMENTO, CA (916) 322-4503

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERT	ER OF	RECO	RD:							STAT	EMENT	NO:	009191
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(	COUNT	Y: BU	TTE	•									
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## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A <u>riparian right</u> enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

## EXHIBIT A

### EXPLAINATION

#### History

The lands made subject to this statement are riparian to both the Sacramento River and Pine Creek. Water is diverted annually from both sources at the points indicated on the attached map. Diversions of water from the Sacramento River and Pine Creek are used for agricultural purposes, principally for irrigation of the crops listed below. Diversion of water onto the property from both sources first took place prior to 1914 by the Gianella family and has continued since that time.

Capacity of Sacramento River Pumps

		Location	Capacity
Pump Pump		Sacramento River Sacramento River	6,000 GPM 6,000 GPM (

Capacity of Pine Creek Diversions

Water is diverted from Pine Creek annually through portable pumping facilities at the location shown on the attached map. Capacity of the diversion is 2,000 GPM. Water diverted from Pine Creek is applied to adjacent fields in addition to the Sacramento River supply.

Crops grown during the 19 12 season.

Located upon the approximate 2,154 gross acreage is the following planted acreage:

1,284 acres Almonds
622 acres Walnuts
5 acres Miscellaneous Crops
----1,911 Total Planted Acres

FARM PLAT

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# STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810 901 P ST. SACRAMENTO, CA (916) 322-4503 JUL 20'87KR.B

"FILE"

## SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

<u></u>											
Dive	erter of Record:					St	atemen	t No:	009191	·	
	Metropolitan Life DBA Ciruela Rand 7100 N. Financial Fresno, CA 93710	cho									
	1							Telephone Number: (209) 435-0206			
	Source: Sacrame	nto River		NOT	1661	670	(2)		O	. 3	
Trib	outary To: Suisuin	Bay	(	€ 19	931	670 570	(_2)		S AIC JARU	ATE	
	County: Butte							HUNA	SACE I	ONTR.	
	i	SW <sup>1</sup> 4, Section						0	<u>-</u>	SOU	
all or pa	TIONS: Please comp art of your regular M BY JULY 1,	water supply	/ with r	eclaim	ed or	pollu	ited w	ater.	RETUR	u replaced N ော nis form.)	
each	unt of Use - Fill in monthly on, check the month	y and annua	l use a	are no	t		nounts low are	_	Gallons Acre-feet	(other)	
	Jan. Feb. Mar.	Apr. May	June	July	Aug.	Sept.	Oct.	Nov.	Dec	Total Annual	
1983	X							Х			
1984	X							X			
1985	x							X			
	ose of Use - Speci	fy number of	acros i	rrigate	ad et	ock w	vaterec	i ner	sons se	erved etc	
B. <u>Purp</u>	Irrigation 2,154					•					
St	ockwatering									· · · · · · · · · · · · · · · · · · ·	
0.	Domestic										
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previ	ous statement was sion, etc.)	filed. (New	pump,	enlar	ged c	liversi	on da	am, lo	cation	of	
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I declare	under penalty of perjury that the	information in this re	port is true t	o the best	of my kno	wledge an	d belief.				
DATED:	Sune 30	<u>)</u> , 19 <u>87</u> .	at	И	book!	and			,	, California	
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			Olyllatu	7	Mich		<del>~                                    </del>	uesco		15108	

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"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

CONTROL ROARD

1987 JUN 30 PM 4: 47

DIV. OF WATER RIGHTS

## NOTICE OF ASSIGNMENT

Statemer	it of	Water	Diversion
and Use	No	9191	

State Water Resources Control Board P. O. Box 2000 Sacramento, CA 95810

Gentlemen:

I have assigned all my right, title and interest in the diversion system for which Statement of Water Diversion and Use No. 9191

is on file with the State Water Resources Control Board, State of California, to Metropolitan Life Insurance Co., DBA Ciruela Rancho

whose address is 7100 N. Financial Drive, Suite 105

Fresno, CA 93710

Sincerely,

Signed

Dated:

STATE WATER RESOURSES

34 4 Mg OS NUL 1881

DIV. OF WATER RICHTS

### **EXPLAINATION**

### History

The lands made subject to this statement are riparian to both the Sacramento River and Pine Creek. Water is diverted annually from both sources at the points indicated on the attached map. Diversions of water from the Sacramento River and Pine Creek are used for agricultural purposes, principally for irrigation of the crops listed below. Diversion of water onto the property from both sources first took place prior to 1914 by the Gianella family and has continued since that time.

Prior to 1914 water diversions from Pine Creek began from an old pump house constructed by the Gianella family and used on lands in the Nord area including 322 acres more or less owned by the Diverter of Record on this statement. See the "Old Pump House" location on the attached plat. The 322 acres is located about .5 miles east of the Old Pump House, fronting on the north side of Gianella Rd. and west side of Hamilton Nord Cana Rd. The prior property owner chose not to utilize this source of water on the 322 acres, however it is understood that up to recent years continuous water deliveries were made from this source and the basic delivery system is still servicable.

## Capacity of Sacramento River Pumps

		Location	Capacity		
Pump Pump		Sacramento River Sacramento River	6,000 GPM 6,000 GPM		
			12,000	GPM	

## Capacity of Pine Creek Diversions

Water is diverted from Pine Creek annually through portable pumping facilities at the location shown on the attached map. Capacity of the diversion is 6,000 GPM. Water diverted from Pine Creek is applied to adjacent fields in addition to the Sacramento River supply.

The Old Pump House located on Pine Creek is not presently utilized for pumping or irrigation purposes as discussed above but is considered to be a servicable facility which has a long and continuous history of such use for lands not riparian to Pine Creek.

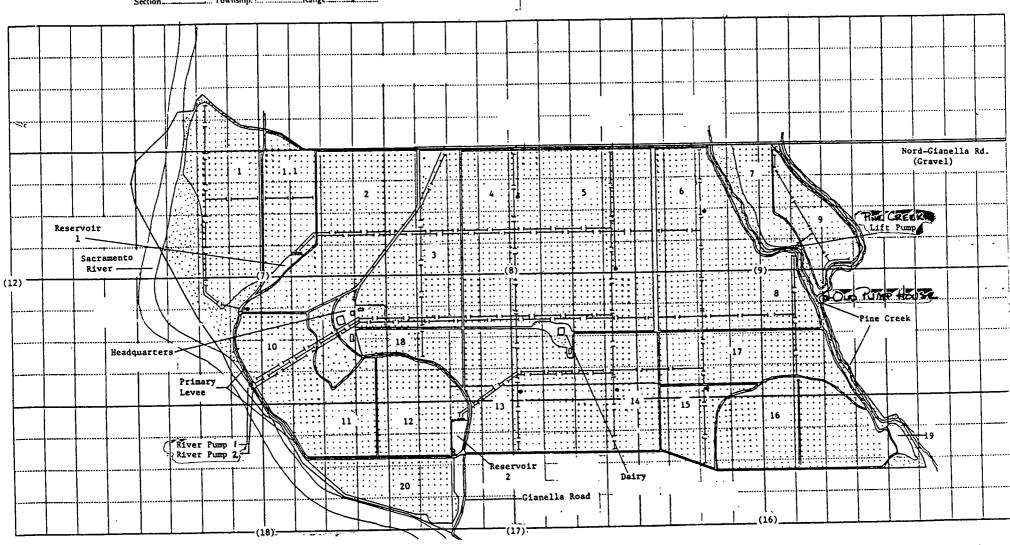
### <u>Farming</u>

Crops grown during the 1985 season.

Located upon the approximate 2,154 gross acreage is the following planted acreage:

- 1,284 acres Almonds 622 acres Walnuts
  - 15 acres Miscellaneous
- 1,921 Net Farmed Acres

FARM PLAT



.. ...

TITE

STATE WATER RESOURCES

TH :4 M9 OE NUL 1881

DIV. OF WATER RICHTS

# STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

hatriain has Date	o waan
A. Name of person diverting water Peter D. Peterson, Patricia Ann Pet	<u> </u>
Address P. O. Box 147, Hamilton City, CA 95951	
B. Name of body of water at point of diversion Sacramento River and overland	Creek,
tributary Sacramento River See attachment and explanation of the See a	tion
Indutary to	
C. Place of diversion S-W 1/4 NW 1/4 Section 7 , Township 22 , Range IW	, M.D. Ban,
ButterRiver Mi. 202 County, or locate it on sketch of section grid on reverse side with	regard to section
mes or prominent local landmarks.	
D. Name of works Peterson Ranch - Gianella Diversion and/or Pin	e Creek
	rubie feet per second
Pine Creek varies	gallons per minute gallons
Capacity of storage reservoir No storage	acre-feet
State quantity of water used each month in gallons or acre-feet	Total
Year Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov.	Dec. Annuai
· X	
If monthly and annual use are not known, check months in which water was used. State	e extent of use in
units, such as acres of each crop irrigated, average number of persons served, number of	stock watered, etc.
2149 Acres irrigated-sugar beets, wheat, corn, milo, bear	ns, frost
protection is contemplated use in future	Rations
	acre-feet gallons
Minimum annual water use in recent years	acre-feet
Type of diversion facility: gravity, pumpX	X
Method of measurement: weir, flume, electric power meter, water meter	, esumate
F. Furpose of use (what water is being used for) Irrigation	
C. Ceneral description or location of place of use (use sketch of section grid on reverse	side if you desire)
Enclosed map of ranch	
	no Creek &
II. Year of first use as nearly as known <u>Early Gi</u> anella Diversions from Pi River occurred prior to 1914 and have continued.	,ne creek u
Name of person filing statement Peter D. Peterson	
Position Owner Organization Peterson Ranch	
Address P. O. Box 147, Hamilton City, CA 95951	
According to the second	wledge and helief
I declare under penalty of perjury that the above is true and correct to the best of my known Dated: ///22/76 .19	Ca. California.
Dates:	
Signature:	

See Instructions on Reverse Side